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March 22, 2024

VIA ECF

The Honorable Mary Kay Vyskocil, U.S.D.J.
United States District Court
Southern District of New York
500 Pearl Street, Room 2230
New York, New York 10007

Re: ***Penske Media Corp. v. Shutterstock, Inc.***, 20-cv-4583 (MKV);
Response to Order to Show Cause

Dear Judge Vyskocil:

We are counsel for defendant-counterclaim plaintiff Shutterstock, Inc. (“Shutterstock”) in the above-referenced action. We write in response to the Court’s Order to Show Cause issued on March 11, 2024 (ECF No. 201), pertaining to the question of whether the Court should retain jurisdiction over the case given the parties’ dismissal of all federal claims and counterclaims.

Shutterstock respectfully submits that no cause exists to prevent dismissal of the case for lack of federal subject matter jurisdiction. Pursuant to and consistent with 28 U.S.C. §§ 1367(a) & (c)(3) and the law of this Circuit, no special circumstances are present that might warrant the Court’s exercising its discretion to maintain supplemental jurisdiction over the remaining claims and counterclaims in this action. Accordingly, Shutterstock agrees with the Court’s Order of March 11, 2024 (ECF No. 200) indicating that the case should be dismissed.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'EML', with a stylized flourish at the end.

Eleanor M. Lackman

cc: All counsel of record